

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.	)	
and HONEYWELL INTELLECTUAL	)	
PROPERTIES INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 99-309-GMS
	)	
HAMILTON SUNDSTRAND CORPORATION,	)	
	)	
Defendant.	)	

**SCHEDULING ORDER**

This \_\_\_\_ day of September, 2005 the Court having conducted an initial Rule 16 scheduling and planning conference pursuant to Local Rule 16.2(b) on August 29, 2005 and the parties having determined after discussion that the matter cannot be resolved at this juncture by settlement, voluntary mediation or binding arbitration;

IT IS ORDERED that:

1. **Discovery.**

a. Fact Discovery. All fact discovery in this case shall be completed by December 9, 2005. Discovery is limited to the extent discussed at the Rule 16 Conference, as reflected in the transcript.

b. Expert Discovery. Honeywell shall serve opening expert reports, if any, on December 12, 2005. HSC shall serve responsive expert reports, if any, on January 9, 2006. Honeywell shall serve reply expert reports, if any, on January 17, 2006. All expert depositions shall be completed by January 27, 2006.

c. Discovery Limits. Each side shall be limited to **5 depositions** including expert witnesses. Each deposition shall last no more than six hours, not including breaks, unless otherwise agreed to by the parties. Each side shall be limited to **20 document requests, 10 interrogatories**, including subparts, and **20 requests for admission**.

d. Discovery Disputes. Should counsel find they are unable to resolve a discovery dispute, the party seeking the relief shall contact chambers at (302) 573-6470 to schedule a telephone conference. Not less than forty-eight (48) hours prior to the conference, by hand delivery or facsimile at (302) 573-6472, the parties shall file with the Court a joint agenda not to exceed two (2) pages outlining the issues in dispute.

2. **Confidential Information and Papers Filed Under Seal.** On January 9, 2001, the Court issued a Protective Order -- submitted and agreed to by the parties -- specifying the terms and conditions for the disclosure of confidential information. When filing papers under seal, pursuant to the Protective Order, counsel should deliver to the Clerk an original and two (2) copies of the papers.

3. **Settlement Conference.** Pursuant to 28 U.S.C. § 636, this matter is referred to the United States Magistrate for the purpose of exploring the possibility of a settlement. If the parties agree that the possibility of settlement may be enhanced by such referral, the parties shall contact Magistrate Judge Thyng to schedule a settlement conference with counsel and clients.

4. **Applications by Motion.** Except as provided in this Order or for matters relating to scheduling, any applications to the Court shall be by written motion filed with the Clerk. Unless otherwise requested by the Court, counsel shall not deliver copies of papers or correspondence to Chambers. Any non-dispositive motion should contain the statement required by Local Rule 7.1.1.

5. **Oral Argument.** If the Court believes that oral argument is necessary, the Court will schedule a hearing pursuant to Local Rule 7.1.4.

6. **Pretrial Briefs.** Honeywell shall file an opening pretrial brief not to exceed 40 pages on January 30, 2006. HSC shall file a response brief not to exceed 40 pages on February 24, 2006. Honeywell shall file a reply brief not to exceed 20 pages on March 10, 2006.

7. **Pretrial Conference and Order.** The Court will conduct a Pretrial status conference by telephone on January 26, 2006. On March \_\_, 2006, the Court will hold a Pretrial Conference in Chambers with counsel beginning at 10 a.m. Unless otherwise ordered by the Court, the parties should assume that filing the Pretrial Order satisfies the pretrial disclosure requirement in Federal Rule of Civil Procedure 26(a)(3).

The parties shall file with the Court a joint proposed Final Pretrial Order on or before March 10, 2006.

8. **Trial.** This matter is scheduled for a 2-day bench trial beginning on March 23, 2006.

9.     **Scheduling.** The parties shall direct any requests or questions regarding the scheduling and management of this matter to Chambers at (302) 573-6470.

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UNITED STATES DISTRICT JUDGE